



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Thursday, the Twelfth day of March Two Thousand Fifteen

PRESENT

The Hon'ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3978 of 2015

1 C.RANJITHKUMAR

2 C.SUDHAKAR

..PETITIONERS/ACCUSED

Vs.

STATE REP.BY THE INSPECTOR OF POLICE

THIRUTHANGAL POLICE STATION,

VIRUDHUNAGAR DISTRICT.

IN C.NO.708/2014

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.JOHN STEPHEN Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 13.12.2014 for the offences punishable under Sections 120(B) and 302 of Indian Penal Code in Crime No.708 of 2014 on the file of the respondent police, seek bail.

2. It is the case of the prosecution that these petitioners had committed the murder of their brother by assaulting him with a stick. The incident took place on 12.12.2014 and these petitioners were arrested on 13.12.2014 and remanded to judicial custody on the same day. It is seen that the deceased was not of sound mind. Since these petitioners are in incarceration for about 90 days and charge sheet has also not been filed, this Court is of the view that it is a fit case to grant bail to the petitioners.

3. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Sivakasi and on further condition that:

[a] the petitioners shall report before the respondent police daily at 06.30 p.m. for a period of two weeks and thereafter, as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.



[e] The Inspector of Police concerned is directed to send a compliance report to the Office of the learned Government Advocate (Criminal side), whether the petitioners are complying with the order or not.

sd/-
12/03/2015

/ TRUE COPY /

WEB COPY

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, SIVAKASI, VIRUDHUNAGAR DISTRICT.
- 2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.
- 3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE, THIRUTHANGAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 5 THE OFFICER INCHARGE, DISTRICT JAIL, VIRUDHUNAGAR.

+1. CC to M/S.A. JOHN STEPHEN Advocate SR.No.11879
ORDER IN
CRL OP(MD) No.3978 of 2015
Date :12/03/2015

PBK 12/03/2015 ::2P-7C: (IT)